

MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION BUILDING
100 NORTH UNION STREET
SUITE 370
MONTGOMERY, ALABAMA
December 14, 2001

MEMBERS PRESENT:

Mr. Kenneth Keener
Mrs. Jane Mardis
Mr. Ronald Parker (arriving at 10:05 a.m.)
Mr. Steve Martin
Mr. Chester Mallory
Mr. Wilder H. Cheney

MEMBERS ABSENT:

Mr. R. L. Farmer, Jr.
Mr. Otis Stewart, Jr.

OTHERS PRESENT:

Mr. J.W. Holland, Jr.
Mrs. Lisa Brooks
Mr. Barry Hollyfield
Ms. Neva Conway
Mr. Randy Robertson

- 1.0 With quorum present Mrs. Jane Mardis, Vice-Chairman called the meeting to order at 9:10 a.m. with prayer and the Pledge of Allegiance. The meeting was held at the RSA Union Building, 100 N. Union Street, 3rd. Floor Conference Room, Montgomery, Alabama.
- 2.0 Members present were Mrs. Jane Mardis, Mr. Ronald Parker (arriving at 10:05 a.m.), Mr. Steve Martin, Mr. Wilder H. Cheney, Mr. Chester Mallory and Mr. Ken Keener. Members absent were Mr. R. L. Farmer, Jr. and Mr. Otis Stewart, Jr.
- 3.0 On motion by Mr. Mallory and second by Mr. Cheney the regular minutes for November 9, 2001 were approved as written. All in favor, motion carried.

- 3.2 Ms. Conway informed the Board that the Jones vs. Siegelman discrimination case was still pending.

Ms. Conway informed the Board there had been three hearings set for today but the case on Mr. Charles R. Higgins had been continued by the Administrative Law Judge, the case on Mr. Donald W. Manuel had been settled, and the case on Mr. Frank Rentz had been continued and reset for January 18, 2001.

Ms. Conway informed that Board that the stay on the case involving Mr. John R. Knight and Mr. John K. Knight was still pending.

- 4.0 Mrs. Mardis discussed HB54 the Full Disclosure Bill with the Board. Mrs. Mardis stated that Representatives Vance, Gipson, Martin and Knight were sponsoring this Bill.

- 5.0 On motion by Mrs. Mardis and second by Mr. Cheney the following applications were voted on as listed. All in favor, motion carried.

- 5.1 **Trainee Real Property Appraiser applications approved:** Michael J. Baggett, Jesse E. Clanton, Dennis Kern, Aleta Greenspan, Karen J. Martin, Kay T. McGinnis, Colin P. McKern, Patrick E. McPhillips, Donald K. Ward, Carole J. Whittington, William S. Whisenhunt, Eric L. Wolfe.

- 5.2 **State Registered Real Property Appraiser applications:** NONE.

- 5.3 **Licensed Real Property Appraiser applications approved:** Terri M. Austin, (Recip.)(GA), Rhonda C. Thompson, (Recip.)(GA), Shelia Tyrer, (Recip.)(GA). **Applications deferred:** Christopher W. Smith.

- 5.4 **Certified Residential Real Property Appraiser applications approved:** Ricky D. Church, Robert Klein. **Applications deferred:** Herman L. Jagers, Charles L. Robertson, III. **Applications denied:** K. Darryl Jackson, John K. Knight.

- 5.5 **Certified General Real Property Appraiser application approved:** Jeffrey A. Thompson, (Recip)(GA). **Application deferred:** Christopher A. Baker.

- 6.0 Mr. Mallory gave financial report informing the Board that we were 17% into the fiscal year and 18% into budget expenditures. Mr. Holland explained the notable increase in state travel expenses over the same period last year and stated at this time there were no negative trends of concern. On motion by Mr. Keener and second by Mr. Cheney the Board voted to accept the financial report as read. All in favor, motion carried.

- 6.1 On motion by Mr. Mallory and second by Mr. Cheney the following education courses and instructor recommendations were approved or denied as indicated:

APPRAISAL INSTITUTE - CHICAGO

(C.E.) Fundamentals of Relocation Appraising – 7 Hours – **Approved**

FOUNDATION OF REAL ESTATE APPRAISERS

(C.E.) Advanced Issues in Appraising (On-line) – 20 Hours – **Approved**
(Approved Instructor: Ross Acheson)

INTERNATIONAL ASSOCIATION OF ASSESSING OFFICERS

(C.E.) Course 500 – Assessment of Personal Property – 30 Hours - **Approved**
(Approved Instructor: Jewette Farley)

INTERNATIONAL RIGHT OF WAY ASSOCIATION

(LIC) Course 100 – Principles of Land Acquisition – 30 Hours –
(C.E.) **Approved**
(Approved Instructor: Ted Williams)

SHOALS SCHOOL OF BUSINESS

(LIC) Appraising Residential Properties – 60 Hours – **Approved**
(Approved Instructor: David McFall)

All in favor, motion carried.

- 6.2 The Board reviewed the following disciplinary report, which was included in their Board books. On November 9, 2001, Karen R. Pack, a Certified Residential Real Property Appraiser (R00672), signed a Voluntary Revocation Consent Settlement Order while under investigation for complaints related to violation of §34-27A-20(a)(5). An act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the certificate holder or another person, or with the intent to substantially injure another person. Licensee agreed to surrender her license to the Alabama Real Estate Appraisers Board in lieu of formal charges being issued by the Board. Terms of the Order stipulate that the licensee will be eligible to apply for reinstatement of her license after the expiration of a period of two years from the date the Board received possession of her license.

Mr. Holland discussed with the Board the investigative status charts. He also stated there was a lot of activity with closing cases and there should be a significant change in the next few months toward reducing cases on hand.

Ms. Conway included in the Board books information in disciplinary case AB-99-70. She asked the Board for approval to extend the education completion deadline for six months in order for the licensee to connect with the prescribed course. On motion by Mr. Keener and second by Mr. Mallory the Board voted to extend the deadline. All in favor, motion carried.

On motion by Mr. Martin and second by Mr. Keener the Board voted to dismiss disciplinary case AB-00-70. All in favor, motion carried.

- 6.2.1 The Board reviewed Probable Cause Report AB-00-36. On motion by Mr. Martin and second by Mr. Keener the Board found probable cause and voted to follow the investigators recommendation to proceed with a formal investigation. All in favor, motion carried.

Board reviewed Probable Cause Report AB-00-59. On motion by Mr. Cheney and second by Mr. Keener the Board found probable cause and voted to follow the investigators recommendation to proceed with a formal investigation. All in favor, motion carried.

Board reviewed Probable Cause Reports AB-01-26 and AB-01-27. On motion by Mr. Mallory and second by Mr. Martin the Board found probable cause and voted to follow the investigators recommendation to proceed with formal investigation. All in favor, motion carried.

Board reviewed Probable Cause Report AB-01-29. On motion by Mr. Keener and second by Mr. Cheney the Board found probable cause and voted to follow the investigators recommendation to proceed with formal investigation. All in favor, motion carried.

Board reviewed Probable Cause Report AB-01-71. On motion by Mr. Keener and second by Mr. Martin the Board did not find probable cause and voted to follow the investigators recommendation to dismiss. All in favor, motion carried.

- 6.2.2 On motion by Mr. Martin regarding AB-01-92, Mr. Martin moved that no probable cause exists to open an investigation and to dismiss the case with prejudice. Mr. Keener requested that the motion be amended to include a roll call vote, Mr. Martin so amended his motion to include a roll call vote.

Mrs. Mardis seconded. A roll call vote was made and was unanimously carried.

The Board considered the information contained in AB-01-72, which is a case in which a civil money judgment for will and wanton conduct was entered against an appraiser in connection with an appraisal. On motion by Mrs. Mardis and second by Mr. Martin the Board voted that this did not meet our statute for disciplinary conduct and that this should be considered if disciplinary action is warranted in the complaint pending on the appraisal and should be dismissed. All in favor, motion carried.

- 6.2.3 Board reviewed negotiated Letter of Warning on case AB-00-07, and the Letters of Counsel on cases AB-00-17, AB-00-18, AB-00-28, AB-00-29 and AB-00-69. On motion by Mr. Martin and second by Mr. Keener the Board voted to approve action on the Letter of Warning and Letters of Counsel. All in favor, motion carried.

- 6.3 No reciprocal agreements to report since last meeting.

- 6.4 The following reciprocal licenses were issued since last Board meeting: Terri M. Austin (GA)(L), Rhonda C. Thompson (GA)(L), Shelia Tyrer (GA)(L), Jeffrey A. Thompson (GA)(G).

- 7.0 The temporary permit report was provided to the Board for their information.

- 8.0 Mr. Holland updated the Board on Ms. Jennifer Henderson health.

Mr. Holland informed the Board of the Travel-Mileage rate increase to 36.5 cents per mile as of January 1, 2002.

Mr. Holland informed the Board that Mr. Ken Diehl had turned in his resignation to be effective December 28, 2001.

Mr. Holland included a letter from Ms. Patricia L. Mosure, President of the Lee & Grant Company and attachments concerning the AQB, The Appraisal Foundation and the ASC for Board information.

Mr. Holland included for Board information the letter from Mr. Ben Henson, Executive Director of The Appraisal Subcommittee informing us of our agencies field review scheduled for March 6-8, 2002.

Mr. Holland informed the Board that we now have our new vehicle, a Chevrolet Impala and in the new few months he intends to replace our Windstar Van with a SUV.

On motion by Mr. Martin and second by Mr. Keener the Board voted to change the monthly meeting dates to the 3rd. Friday of every month unless there is a conflict.

Ms. Conway took this time to tell the Board what a good job new employee Angie Roe is doing.

The Board reviewed the Proposed Trainee/Supervisor Policy. They made a few changes and asked the staff to work up another draft and resubmit for next months meeting.

Mr. Holland informed the Board that as of December 12, 2001 we have received approximately 91% of the renewals.

At 1:00 p.m. on motion by Mr. Martin and second by Mr. Mardis the Board went into Executive Session to discuss good name and character.

At 1:50 p.m. the Board went back into Regular Session.

The next meeting will be on January 17-18, 2002.

9.0 Meeting adjourned at 1:55 p.m.

Sincerely,

Lisa Brooks
Executive Secretary

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APPROVED: _____
Ronald Parker, Chairman